

### **REMARKS**

Claims 1 – 10, 12 – 20 and 82 – 84 were presented for consideration in the present application. This Amendment cancels claim 84. Thus, claims 1 – 10, 12 – 20 and 82 – 83 remain pending upon entry of this Amendment. For at least the reasons set forth below, Applicants respectfully submit that claims 1 – 10, 12 – 20 and 82 – 83 are patentable over the cited art.

Claims 1, 8, 9 and 12 – 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Publication No. JP 09164300A to Nakao et al. (hereinafter “Nakao”).

Independent claim 1 now provides a controller for use with a fabric grooming device that has, in relevant part, “an interactive user interface having one or more input selectors, one or more output indicators, and a digital display panel for displaying scrolled text and segmented text (emphasis added)”.

Applicants respectfully submit that Nakao does not disclose the aforementioned features of claim 1, at least for the reasons discussed below.

Nakao provides a setup key 29, a temperature configuration switch (input selector) and a liquid display that displays laying temperature, temperature level and buzzers (output indicators). The Office Action contends that Nakao discloses a controller for use with a fabric grooming device comprising an interactive user interface having one or more input selectors (setup key 29 / switch 11 combination; English MAT; page 4, lines 6 – 11), one or more output indicators (set temperature; temperature level; buzzer), and a digital display panel (liquid crystal display 13) for displaying scrolled or segmented text. This contention is respectfully traversed.

Nakao expressly teaches that the input selectors and the output indicators provided in the cordless iron are separate and discrete components that are clearly not on the same interactive interface (See page 4, lines 6 – 11 and Drawing 3). Thus, Applicants respectfully submit that Nakao fails to disclose or suggest an interactive user interface having one or more input selectors, one or more output indicators, and a digital display panel for displaying scrolled text and segmented text, as recited in claim 1.

The Office Action also contends that, "Nakao et al. disclose the liquid crystal display (13) for displaying set temperature and the temperature level which would be inherently segmented text/numbers." The Office Action further states that, "Nakao et al. clearly disclose a the liquid crystal display (13) for displaying set temperature and the temperature level and would have the ability to display both scrolled and segmented text/numbers." These contentions are respectfully traversed.

The *Manual of Patent Examination Procedure* §2112 states, "[t]o establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'" *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).

Applicants respectfully submit that the digital display panel provided in claim 1 is clearly not the same as the liquid crystal display (13) discussed in Nakao and thus, Nakao does not anticipate claim 1. Furthermore, Nakao does not disclose or suggest that the liquid crystal display (13) displays scrolling text and thus, it is a mere possibility that the liquid crystal display (13) is capable of displaying anything other than segmented text. In addition, the Office Action fails to provide any basis for the inherency conclusion.

Accordingly, for at least the aforementioned reasons, Applicants respectfully submit that Nakao fails to disclose or suggest the features of independent claim 1. As such, claim 1, as well as claim 8, 9 and 12 – 17 that depend therefrom are in condition for allowance. Reconsideration and withdrawal of the rejections to claims 1, 8, 9 and 12 – 17 under 35 U.S.C. §102(b) are respectfully requested.

Claims 2 – 4, 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakao in view of United Kingdom Patent Application No. BG2163574A to Wellcome (hereinafter “Wellcome”).

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

As conceded by the Office Action, Nakao does not disclose one or more input selectors having an image or symbol associated therewith for identifying the function and/or operation corresponding thereto. The Office Action submits that Wellcome teaches a display panel (6) comprising multiple input selection buttons (7), each button corresponding to a particular temperature of the iron (1) as well as fabric types suitable for each temperature and convention dot markings used on conventional iron temperature controls. The Office concludes that it would have been obvious to one of ordinary skill in the art to modify the input selector of Nakao with a plurality of input selectors and an image/symbol associated to the input selector in order to provide the

user indication marks that coincide with fabric types/temperatures. The Office Action further contends that in view of Wellcome, providing multiple input selectors with images associated therewith would only increase the length of the user interface and therefore would still be at the lower portion of the liquid crystal display (13) panel, thereby being part of the LCD panel or an LCD panel. Applicants respectfully traverse these contentions.

Wellcome provides a control box that accommodates electronic components for controlling the working components of an iron. The box is provided with a user-operable control and a display panel for controlling the operation of the iron. The control box, or user interface, is not integrated onto the iron as it is in the fabric grooming device recited in claim 1. Instead, it is interposed at any suitable location along an electrical lead. The control box may be arranged to stand on, or clip onto an ironing board. Alternatively, the box may stand on a table-top or on the floor.

Applicants respectfully submit that it would be illogical for a person having ordinary skill in the art to combine the touch-sensitive panel of Wellcome to the control panel of Nakao because the combination would make the Nakao device more cumbersome, more expensive and potentially inoperable because the buttons disclosed in Wellcome have no place to fit into the control panel of the Nakao device.

Accordingly, claims 2 – 4, 6 and 7 are not rendered obvious over Nakao in view of Wellcome. Furthermore, claims 2 – 4, 6 and 7 depend from independent claim 1 that is now in condition for allowance. Reconsideration and withdrawal of the rejection to claims 2 – 4, 6 and 7 under 35 U.S.C. §103(a) are respectfully requested.

Claims 5 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakao in view of Wellcome as applied to claims 2 – 4, 6 and 7 above, and further in view of U.S. Publication No. 2003/0074903 to Upadhye et al. (hereinafter “Upadhye”).

Dependent claim 5 provides that at least one of said one or more input selectors is an LED panel. Dependent claim 10 provides that at least one of said one or more output indicators is an LED panel.

Nakao and Wellcome have been described above. Upadhye is cited in the Office Action for providing an input user interface touchscreen LCD panel or LED panel for a portable heating device being equivalent structures known in the art. The Office Action contends that because the two input selector display panel devices were recognized equivalents at the time of the invention was made, one of ordinary skill in the art would have found it obvious to utilize an input touchscreen selector on an LCD or LED panel, depending on the system requirements to provide a lower power consumption device and a higher resolution in the device allowing for a smaller but comfortable display, and thereby providing a quality product interaction experience. Applicants respectfully traverse these contentions and submit that claims 5 and 10 are not rendered obvious by the combination of Nakao, Wellcome and Upadhye.

Applicants respectfully submit that an LED panel such as the one disclosed in Upadhye, when combined with the Nakao and Wellcome devices, would result in a cumbersome, more expensive and potentially inoperable device because the LED panel disclosed in Upadhye has no place to fit into the control panel of the Wellcome device. As noted in the Office Action, Wellcome does not disclose the application of at least one of said one or more input selectors as an LED panel and the additional teaching of Upadhye does not address this deficiency. Accordingly, it would not have been obvious to a person of ordinary skill in the art to combine the teachings of Nakao, Wellcome and Upadhye to create the controller, as recited in claims 5 and 10.

Accordingly, claims 5 and 10 are not rendered obvious over Nakao in view of Wellcome and further in view of Upadhye. Furthermore, claims 5 and 10 depend from

independent claim 1 that is now in condition for allowance. Reconsideration and withdrawal of the rejection to claims 5 and 10 under 35 U.S.C. §103(a) are respectfully requested.

Claims 18 – 20 and 82 – 84 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakao in view of U.S. Patent No. 6,255,630 to Barnes et al. (hereinafter "Barnes").

In view of the cancellation of claim 84, the rejection to claim 84 is now moot. Reconsideration and withdrawal of the rejection to claim 84 is respectfully requested.

The Office Action submits that it would have been obvious to modify Nakao with a scrolling text LCD display in order to provide information based on ease of use of and convenience, thereby decreasing the operating complexity of the device. Applicants respectfully submit that the Office Action must determine what is "analogous prior art" for the purpose of analyzing the obviousness of the subject matter at issue. "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446 (Fed. Cir. 1992). Applicants respectfully submit that Nakao teaches a fabric grooming appliance. In contrast, Barnes teaches a cooking appliance that is clearly not in the applicant's field of endeavor. Further, the cooking appliance is not "reasonably pertinent to the particular problem with which the inventor was concerned". Thus, the Office Action has failed to establish a *prima facie* case of obvious for claims 18 – 20 and 82 – 83.

Accordingly, claims 18 – 20 and 82 – 83 are not rendered obvious over Nakao in view of Barnes. Reconsideration and withdrawal of the rejection to claims 18 – 20 and 82 – 83 under 35 U.S.C. §103(a) are respectfully requested.

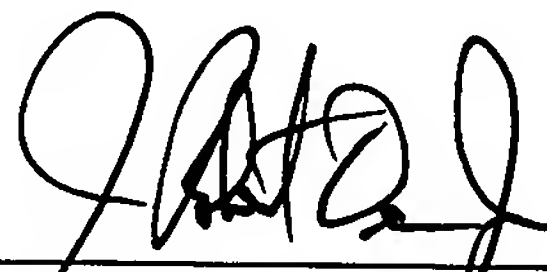


In view of the foregoing, Applicants respectfully submit that all claims present in this application patentably distinguish over the cited references. Accordingly, Applicants respectfully request favorable reconsideration and withdrawal of the rejections of the claims. Also, Applicants respectfully request that this application be passed to allowance.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

October 30, 2007



---

J. Robert Dean, Jr., Esq.  
Registration No. 33,490  
Attorney for Applicants  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> floor  
Stamford, CT 06901-2682  
Tel: (203) 327-4500  
Fax: (203) 327-6401